

## RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE

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OMB No. 0651-0011 (exp. 5/31/2002)

## PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Paul Leonard Miller

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date(s): March 29, 2005

2. Name and address of receiving party(ies):

Name: Torax Medical, Inc.

Internal Address:

Street Address: 6901 East Fish Lake Road

City: Maple Grove

State: Minnesota

Postal Code: 55369

Additional name(s) of receiving party(ies) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No(s).

09/634,414  
10/371,012  
10/804,604

B. Patent No(s).

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Barbara A. Wrigley, Reg. No. 34,950

Company: Oppenheimer Wolff &amp; Donnelly LLP

Internal Address: 3300 Plaza VII Building

Street Address: 45 South Seventh Street

City: Minneapolis State: MN ZIP: 55402-1609

Our File No.: 22082-1

6. Total number of applications and patents involved: 1

7. Total Fee (37 CFR 3.41).....120.00.

- ☐ Enclosed  
☒ Authorized to be charged to deposit account  
☒ Authorized to charge any underpayment or credit any overpayment to deposit account.

8. Deposit account number:

50-1901

(Attach duplicate copy of this page if paying by deposit account.)

## DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Barbara A. Wrigley  
Name of Person Signing[Signature]  
Signature4/6/05  
Date

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:

Mail Stop Assignment, Recordation Services

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

## ASSIGNMENT

WHEREAS, I, Paul Leonard Miller of Harvest, Alabama own certain inventions embodied in U.S. Application Serial Nos. 09/634,414; 10/371,012; and 10/804,604, each of which is entitled Active Tissue Augmentation Materials and Method, filed on 8/8/2000, 2/20/2003, and \_\_\_\_\_, respectively by virtue of an assignment recorded in the United States Patent Office at reel and frame numbers 014532/0719, 014532/0719, and 014532/0719 respectively on April 20, 2004; and

WHEREAS, Torax Medical, Inc., a corporation organized and existing under the laws of the state of Delaware, and having its principal offices at 6901 East Fish Lake Road, Maple Grove, MN 55369, is desirous of acquiring the entire right, title and interest in and to said invention, said applications and in, to and under any and all Letters Patent to be obtained therefor;

NOW, THEREFORE, for good and valuable consideration to me in hand paid by said Torax Medical, Inc., the receipt of which is hereby acknowledged, I have sold, assigned and transferred, and by these presents do hereby sell, assign and transfer unto the said Torax Medical, Inc., its successors and assigns, my entire right, title and interest in and to said invention, said application and the Letters Patent, both foreign and domestic, that may or shall issue, including all of my rights under the International Convention and Patent Cooperation Treaty and other international treaties, and I do hereby authorize and request said Letters Patent be issued to the above-mentioned assignee in accordance herewith.

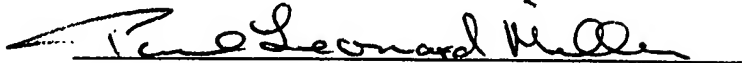
I hereby authorize the above-mentioned assignee, its successors and assigns or anyone it may properly designate, to insert in this instrument the filing dates and reel and frame number of said prior assignments evidencing my ownership of said application when ascertained.

I authorize said assignee, its successors and assigns, or anyone it may properly designate, to apply for Letters Patent, in its own name if desired, in any and all foreign countries, and additionally to claim the filing date of said United States applications and/or otherwise take advantage of the provisions of the International Convention.

Upon said consideration, I do hereby covenant and agree with the said assignee, its successors and assigns, that I will not execute any writing or do any act whatsoever conflicting with these presents, and that I or my executors or administrators will at any time upon request, without further or additional consideration, but at the expense of said assignee, its successors and assigns, execute such additional writings and do such additional acts as said assignee, its successors and assigns, may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuation, reissued or extended Letters Patent of any and all countries, whether domestic or foreign, on said invention, and in enforcing any rights, occurring as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents.

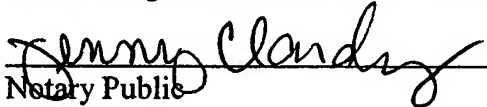
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal.

Date: March 29<sup>th</sup>, 2005

  
Paul Leonard Miller

STATE OF Alabama )  
COUNTY OF Madison ) ss.

On this 29<sup>th</sup> day of March, 2005, before me personally appeared Paul Leonard Miller, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

  
Notary Public

My Commission Expires 10-21-08